

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Claims 1-17 are pending in this application. By the present Amendment, Claims 1, 6, 7, 8 and 16 are amended and Claims 18-25 are added.

Regarding the §112 rejection of Claims 1, 6, 7, 8 and 16 because the Examiner did not believe the specification enabled the feature of general additional information comprising “at least one of time or data or filming a video scene of said contents data, an explanation of a scene, or title to background music”: the Examiner is referred to page 29, lines 11-13 of the specification, and Fig. 19, which provides sufficient support and enablement for the claimed subject matter. Accordingly, the §112 rejection is overcome on at least this basis.

Claims 1, 2, 5-7, 16 and 17 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,351,745 (“Itakura”). Claims 3, 4, 8, 10, 12 and 14 were rejected under 35 U.S.C. 103(a) over Itakura in view of U.S. Patent No. 5,027,400 (“Baji”); and the Kitsukawa patent was added to this combination to reject Claims 9, 11, 13 and 15. Applicant respectfully submits that all claims in this application, at least in the form presented herein, are patentably distinguishable from the cited references for at least the following reasons:

Considering independent Claims 1, 6, 7 and 8, for example, each of these claims as amended herein recites the feature of registering general additional information regarding the contents data, the general additional information comprising at least one of time or date of filming a video scene of the contents data, an explanation of a scene, title to background music, contents ID, general purpose additional information ID, part covered by additional information,

name covered by additional information, segment number, scene number, object number, and additional information classification.

Regarding such registration of general additional information, the Office Action asserted that the “location” field in Itakura’s FIG. 29 contains a URL which the Examiner believes is equivalent to “contents ID” previously recited in Applicant’s claims under general additional information. Although Applicant disagrees that a URL met this feature, since a URL does not identify contents (rather, it identifies the location of contents), the contents ID has been eliminated from the claims in order to simplify the issues here.

Accordingly, as Itakura does not disclose or suggest the registering of general additional information comprising at least one of time or date of filming a video scene of the contents data, an explanation of a scene, etc., Itakura does not anticipate or render obvious Applicant’s Claims 1, 6, 7 or 8 and the claims depending therefrom for at least this reason.

Regarding independent Claim 17, it is submitted that Itakura does not disclose or suggest at least analyzing a delivery request for contents data received from another apparatus, extracting general purpose additional information of the contents data and individual additional information in accordance with the analysis, wherein the individual additional information is extracted on the basis of user information comprising at least one of user usage status and user usage classification; and generating individual metadata from the additional data and the extracted individual additional information. It appears that the Office Action has not addressed these features.

Claim 5, which depends from Claim 17, claims that the updating charging information updates charges to at least an end user for use of the contents data and/or individual metadata on the basis of the generated individual metadata. In contrast, the charging disclosed in the Itakura

reference is only to the providers of advertisements. Accordingly, Claim 5 is further distinguishable from Itakura.

The remaining claims in this application are patentable over the cited references based at least upon their respective dependencies from one of the above-discussed independent claims.

Conclusion

In view of the foregoing, entry of this Amendment, and the allowance of this application with Claims 1-25, is respectfully solicited.

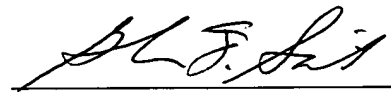
The above statements concerning the disclosures in the cited references represent the present opinion of Applicant's representative and, in the event that the Examiner disagrees, Applicant's representative respectfully requests the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

It is submitted that the claims in this application, as originally presented, are patentably distinct over the prior art cited by the examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. 112. Changes to these claims, as presented herein, is not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made for clarification and to round out the scope of protection for the invention.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

Respectfully submitted,
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